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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/555,917	06/06/2000	JASON STUART FLYNN	36-1316	9648

7590

12/18/2002

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EXAMINER

AFSHAR, KAMRAN

ART UNIT

PAPER NUMBER

2682

DATE MAILED: 12/18/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/555,917

Applicant(s)

FLYNN, JASON STUART

Examiner

Kamran Afshar

Art Unit

2682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) 15 and 16 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06/06/2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claims 1 and 11 are objected to because of the following informalities: "characterised".
Appropriate correction is required.

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 8-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Aziz (U.S. Patent 5,325,362).

Regarding claim 1, Aziz discloses a method of routing data directed to a mobile node (6) in a communications system, comprising the steps of: maintaining reachability information for the mobile node; and receiving data directed to the mobile node; characterized by setting a destination to which the received data is to be sent when the reachability information indicates that the mobile node is unreachable (See Abstract, Co. 5, line 30 – Co. 8, Line 43, Co. 10, Lines 14-62, Fig. 3).

Regarding claims 2, 3, 8-11, as discussed above in claim 1, meets the limitation (See rejection claim 1).

Claim Rejections - 35 USC § 103

3. Claim 4-6, 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aziz (U.S. Patent 5,325,362) in view of Joong (U.S. Patent 6,134,433).

Regarding claim 4, Aziz disclosed everything as applied above in claim 1. However, Aziz was silent teaching the proxy node to send received data to the mobile node when the reachability information indicates that the mobile node has become reachable. Joong teaches the

proxy node to send received data to the mobile node when the reachability information indicates that the mobile node has become reachable (See Abstract, Co. 4, Lines 18-44, Co. 5, Lines 36-48). Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention to provide above teaching of Joong to Aziz for determining whether an incoming call from a calling party for a mobile station is a data call, determining whether the mobile station is available to take the call as suggested by Joong (See Co. 3, Lines 26-30).

Regarding claims 5-6, 12-14, as discussed above in claim 4, meets the limitation (See rejection claim 4).

4. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Aziz (U.S. Patent 5,325,362) in view of Hiyama (U.S. Patent 4,855,995).

Regarding claim 7, Aziz disclosed everything as applied above in claim 1. However, Aziz was silent teaching the reachability information comprises at least one destination address. Hiyama teaches the reachability information comprises at least one destination address (See Abstract, Co. 4, lines 19-25, 52-67, Co. 5, lines 1-15). Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention to provide above teaching of Hiyama to Aziz to provide effective communications between terminals as suggested by Hiyama (See Co. 2, Lines 5-6).

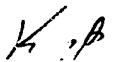
Conclusion


5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Rodney M. Turgman U. S. 5,680,548 Patent discloses Systems And Methods For Work Assignment And Distribution From A Server to Remote/Mobile Nodes.

6. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Kamran Afshar whose telephone number is (703) 305-7373. The examiner can be reached on Monday-Friday.

If attempts to reach the examiner by the telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached @ (703) 308-6739. The fax number for the organization where this application or proceeding is assigned is (703) 872-9314 for all communications.


Kamran Afshar


VIVIAN CHIN
SUPERVISORY PATENT EXAMINER
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